

NO. 26

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF SOUTH CAROLINA**



REGULAR SESSION BEGINNING TUESDAY, JANUARY 14, 2020

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WEDNESDAY, FEBRUARY 26, 2020

**Wednesday, February 26, 2020**  
**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 2:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 86:12

“I will praise thee, O Lord my God, with my whole heart; and I will glorify Thy name for evermore.”

Let us Pray. Great and loving God, we come to You in prayer, not confident in our own goodness but solely in Your grace.

You are our hope when we are down, our strength when we are weak and our Savior when we are lost. You are our security in a world of constant change and turmoil.

Even when we forget You in the rush of life, You never forget us. Thank You for Your faithfulness and the privilege of living this week to Your glory. Fill the wells of our souls with Your strength and our minds with Your inspiration. In Your holy name we pray, Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

**Point of Quorum**

At 2:04 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Cromer	Davis
Fanning	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Johnson	Loftis	Malloy
Martin	Massey	<i>Matthews, John</i>
Peeler	Rice	Sabb

**WEDNESDAY, FEBRUARY 26, 2020**

Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

**Doctor of the Day**

Senator McELVEEN introduced Dr. Gary Culbertson of Sumter, S.C., Doctor of the Day.

**Leave of Absence**

At 3:19 P.M., Senator CROMER requested a leave of absence for Senator CAMPSER until 7:00 P.M.

**Leave of Absence**

At 3:32 P.M., Senator MASSEY requested a leave of absence for Senator MARTIN for the balance of the day.

**Leave of Absence**

At 3:56 P.M., Senator TURNER requested a leave of absence for Senator TALLEY for the balance of the day.

**Leave of Absence**

At 5:05 P.M., Senator GAMBRELL requested a leave of absence for the balance of the day.

**Expression of Personal Interest**

Senator MASSEY rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator McELVEEN rose for an Expression of Personal Interest.

**Remarks to be Printed**

On motion of Senator NICHOLSON, with unanimous consent, the remarks of Senator McELVEEN, when reduced to writing and made available to the Desk, would be printed in the Journal.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

**WEDNESDAY, FEBRUARY 26, 2020**

S. 1127 -- Senator Senn: A BILL TO AMEND SECTION 12-6-3587(A) OF THE 1976 CODE, RELATING TO THE PURCHASE AND INSTALLATION OF A SOLAR ENERGY SYSTEM FOR HEATING WATER, SPACE HEATING, AIR COOLING, OR GENERATING ELECTRICITY, TO MAKE THE CREDIT FOR THE PURCHASE AND INSTALLATION OF SUCH ITEMS A REFUNDABLE CREDIT.

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Read the first time and referred to the Committee on Finance.

S. 1128 -- Senators Verdin, Goldfinch, Grooms, Peeler, Turner and Campbell: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF CLIVE CUSSLER, THE DISCOVERER OF THE H.L. HUNLEY, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 1129 -- Senators Rankin, Grooms, Hutto, McElveen, Sabb, M. B. Matthews, Gambrell and Goldfinch: A BILL TO AMEND SECTION 58-31-20 OF THE 1976 SOUTH CAROLINA CODE OF LAWS TO PROVIDE A MEMBER OF THE BOARD OF DIRECTORS OF THE PUBLIC SERVICE AUTHORITY SHALL NOT BE APPOINTED FOR MORE THAN TWO UNEXPIRED CONSECUTIVE TERMS AND FOR EDUCATION AND EXPERIENCE REQUIREMENTS FOR A BOARD MEMBER; TO ADD SECTION 58-31-230 TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF HAS AUTHORITY TO MAKE INSPECTIONS, AUDITS, AND EXAMINATIONS OF THE PUBLIC SERVICE AUTHORITY FOR ELECTRIC AND WATER RATES; TO AMEND SECTION 58-31-380 TO ESTABLISH A PROCESS TO RECEIVE PUBLIC COMMENT AND A PUBLIC HEARING IN SETTING ELECTRIC RATES, AND FOR THE OFFICE OF REGULATORY STAFF TO REVIEW THE PROPOSED RATES AND COMMENT BEFORE THE RATES GO INTO EFFECT; TO AMEND SECTION 58-33-20 TO INCLUDE THE PUBLIC SERVICE AUTHORITY IN THE REQUIREMENTS FOR UTILITY FACILITY SITING; TO AMEND SECTION 58-37-40 TO DELETE SUBSECTION (A)(3); AND TO ADD SECTION 58-37-45 TO REQUIRE THE SOUTH CAROLINA PUBLIC SERVICE

**WEDNESDAY, FEBRUARY 26, 2020**

AUTHORITY TO SUBMIT AN INTEGRATED RESOURCE PLAN  
TO THE PUBLIC SERVICE COMMISSION AND TO PROVIDE FOR  
PLAN REQUIREMENTS.

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Senator RANKIN spoke on the Bill.

Read the first time and referred to the Committee on Judiciary.

**Appointment Reported**

Senator SHEALY from the Committee on Family and Veterans'  
Services submitted a favorable report on:

**Statewide Appointment**

Initial Appointment, Secretary of South Carolina Department of  
Veterans' Affairs, with term coterminous with the Governor

Major General William F. Grimsley, 226 Green Winged Teal Drive  
S., Beaufort, SC 29907-1053

Received as information.

**HOUSE CONCURRENCES**

S. 1122 -- Senator Gambrell: A CONCURRENT RESOLUTION TO  
APPLAUD THE BELTON-HONEA PATH HIGH SCHOOL  
COMPETITIVE CHEER TEAM, COACHES, AND SCHOOL  
OFFICIALS FOR AN EXCEPTIONAL SEASON AND TO SALUTE  
THEM ON WINNING THE 2019 CLASS AAAA STATE  
CHAMPIONSHIP TITLE.

Returned with concurrence.

Received as information.

S. 1124 -- Senator McLeod: A CONCURRENT RESOLUTION TO  
RECOGNIZE AND HONOR ENTREPRENEUR AND  
PHILANTHROPIST, DR. FELIX KING EIREMIOKHAE FOR HIS  
OUTSTANDING, INNOVATIVE SUCCESS AND HIS  
REMARKABLE PHILANTHROPY IN THE NATION OF NIGERIA.

Returned with concurrence.

Received as information.

**WEDNESDAY, FEBRUARY 26, 2020**

**THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.**

**INTERRUPTED DEBATE**

S. 419 -- Senators Hembree, Malloy, Turner, Setzler, Sheheen and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA CAREER OPPORTUNITY AND ACCESS FOR ALL ACT", TO PROVIDE FOR A STATEWIDE COLLEGE AND CAREER READINESS GOAL, STUDENT EMPOWERMENT, THE CREATION OF THE ZERO TO TWENTY COMMITTEE, ENHANCEMENTS TO WORKFORCE PREPARATION, EDUCATOR DEVELOPMENT AND SATISFACTION, HELP FOR STUDENTS IN UNDERPERFORMING SCHOOLS, LOCAL SCHOOL BOARD ACCOUNTABILITY, AND MISCELLANEOUS PROVISIONS. (Abbr. Title)

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

**Amendment No. 126**

Senator FANNING proposed the following amendment (WAB\419C202.SM.WAB20), which was not adopted:

Amend the bill, as and if amended, Section 59-18-1635, as contained in SECTION 49, by adding an appropriately lettered subsection to read:

/ ( ) If the State Superintendent of Education fails to show progress with school after four consecutive years, the public must be notified in writing of the failure of the State Superintendent. Further, the school shall immediately revert back to the control of the local school district. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

Senator MARTIN spoke on the amendment.

The question was the adoption of the amendment.

The amendment was not adopted.

**Amendment No. 127**

Senator FANNING proposed the following amendment (WAB\419C204.SM.WAB20), which was not adopted:

**WEDNESDAY, FEBRUARY 26, 2020**

Amend the bill, as and if amended, Section 59-18-1640(B), as contained in SECTION 49, by deleting the subsection and inserting:

/ (B) If the State Superintendent of Education determines that a state-of-education emergency declaration is justified, then he must request that the State Board of Education and the county's legislative delegation meet to approve or disapprove the declaration. The State Board of Education and the county's legislative delegation must meet within ten days of the request to approve or disapprove the declaration./

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

Senator MARTIN spoke on the amendment.

The question was the adoption of the amendment.

The amendment was not adopted.

**Amendment No. 128**

Senator FANNING proposed the following amendment (WAB\419C205.SM.WAB20), which was not adopted:

Amend the bill, as and if amended, Section 59-18-1640(C)(2), as contained in SECTION 49, by deleting the subsection and inserting:

/ (2) assume management of the district. Once a district is declared in emergency status, the State Superintendent of Education assumes managerial responsibility of the school district, performing the role of a district superintendent. The role of the local school board and all functions thereof must be fulfilled by the State Board of Education and may not be fulfilled to any degree by the State Superintendent of Education. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

The question was the adoption of the amendment.

The amendment was not adopted.

**WEDNESDAY, FEBRUARY 26, 2020**

**Motion Adopted**

On motion of Senator HUTTO, with unanimous consent, Senators HUTTO and M.B. MATTHEWS were granted leave to attend a meeting and were granted leave to vote from the balcony.

**Amendment No. 129**

Senator FANNING proposed the following amendment (WAB\419C209.SM.WAB20), which was not adopted:

Amend the bill, as and if amended, Section 59-18-1640(E)(1), as contained in SECTION 49, by deleting the item and inserting:

/ (1) Upon the State Board of Education's approval of a state-of-education emergency declaration, the local district board of trustees is dissolved. The State Superintendent of Education shall assume the authority and responsibilities of the district superintendent and the State Board of Education will assume the authority and responsibilities of the local board of trustees until district management is transitioned to the jurisdiction of an interim local district board of trustees appointed pursuant to this section. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

The question was adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 11; Nays 31**

**AYES**

Allen	Fanning	Harpootlian
Hutto	Johnson	Kimpson
Matthews, Margie	McLeod	Reese
Sabb	Scott	

**Total--11**

**NAYS**

Alexander	Bennett	Campbell
Cash	Climer	Corbin
Cromer	Davis	Gambrell
Goldfinch	Gregory	Grooms



**WEDNESDAY, FEBRUARY 26, 2020**

Hembree	Leatherman	Loftis
Malloy	Massey	McElveen
Nicholson	Peeler	Rankin
Rice	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

**Total--31**

The amendment was not adopted.

**Amendment No. 134**

Senator FANNING proposed the following amendment (WAB\419C212.SM.WAB20), which was not adopted:

Amend the bill, as and if amended, Section 59-18-1640, as contained in SECTION 49, by adding an appropriately lettered subsection after subsection (H) to read:

/ ( ) If the State Superintendent of Education fails to show progress with the school district after four consecutive years, the public must be notified in writing of the failure of the State Superintendent. Further, the school shall immediately revert back to the control of the local school district. Board Elections must be set immediately. Upon election of the new school board, the local board will assume full authority of managing the school district, including the hiring of a new superintendent. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

The question was the adoption of the amendment.

The amendment was not adopted.

**Amendment No. 135**

Senator FANNING proposed the following amendment (WAB\419C213.SM.WAB20), which was not adopted:

Amend the bill, as and if amended, Section 59-18-1640(E)(2)(a), as contained in SECTION 49, by deleting the subitem and inserting:

/ (a) Once a district subject to subsection (C) has met annual targets identified in the district's revised strategic plan for sustained

**WEDNESDAY, FEBRUARY 26, 2020**

improvement for a minimum of three consecutive years, new elections must be held to elect all members of the local school board of trustees. After the local elections, the new board will immediately assume management of the school district, including the hiring of a superintendent. The interim local district board of trustees shall consist of five members appointed in the following manner, with a chairman elected by the appointees:

- (i) one member appointed by the Governor;
- (ii) one member appointed by the local legislative delegation;

and

(iii) three members appointed by the State Superintendent of Education in consultation with the local legislative delegation. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

The question was adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 4; Nays 33**

**AYES**

Allen	Fanning	McLeod
Reese		

**Total--4**

**NAYS**

Alexander	Bennett	Campbell
Cash	Corbin	Cromer
Davis	Gambrell	Goldfinch
Gregory	Grooms	Hembree
Hutto	Johnson	Kimpson
Leatherman	Loftis	Malloy
Massey	<i>Matthews, Margie</i>	McElveen
Nicholson	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Turner	Williams	Young

**WEDNESDAY, FEBRUARY 26, 2020**

**Total--33**

The amendment was not adopted.

**Amendment No. 136**

Senator FANNING proposed the following amendment (WAB\419C214.SM.WAB20), which was not adopted:

Amend the bill, as and if amended, Section 59-18-1640(E)(2)(a), as contained in SECTION 49, by deleting the subitem and inserting:

/ (a) Once a district subject to subsection (C) has met annual targets identified in the district's revised strategic plan for sustained improvement for a minimum of two consecutive years, the State Superintendent of Education shall submit to the State Board of Education documentation of such. The State Board of Education shall approve that an interim local district board of trustees be appointed. The interim local district board of trustees shall consist of five members appointed in the following manner with a chairman elected by the appointees:

- (i) one member appointed by the Governor;
- (ii) one member appointed by the local legislative delegation;

and

(iii) three members appointed by the State Superintendent of Education in consultation with the local legislative delegation. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

The question was the adoption of the amendment.

The amendment was not adopted.

**Amendment No. 137**

Senator FANNING proposed the following amendment (WAB\419C215.SM.WAB20), which was not adopted:

Amend the bill, as and if amended, Section 59-18-1640(E)(2)(a), as contained in SECTION 49, by deleting the subitem and inserting:

/ (a) Once a district subject to subsection (C) has met annual targets identified in the district's revised strategic plan for sustained improvement for a minimum of three consecutive years, the State Superintendent of Education shall submit to the State Board of Education documentation of such. The State Board of Education shall approve that

**WEDNESDAY, FEBRUARY 26, 2020**

an interim local district board of trustees be appointed. The interim local district board of trustees shall consist of five members appointed in the following manner with a chairman elected by the appointees:

- (i) one member appointed by the Governor;
- (ii) one member appointed by the local legislative delegation;
- (iii) one member appointed by the State Superintendent of Education in consultation with the local legislative delegation;
- (iv) one member appointed by a vote of the school improvement councils within the district; and
- (v) one member appointed by the local teachers employed in the district. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

The question was the adoption of the amendment.

The amendment was not adopted.

**Amendment No. 138**

Senator FANNING proposed the following amendment (WAB\419C216.SM.WAB20), which was not adopted:

Amend the bill, as and if amended, Section 59-18-1640(E)(3), as contained in SECTION 49, by deleting the item and inserting:

/ (3) For a maximum of two years and until the State Board of Education votes to end the state-of-education emergency, the interim local district board shall remain in place, and its appointed members shall continue to serve. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

The question was the adoption of the amendment.

The amendment was not adopted.

**Amendment No. 139**

Senator FANNING proposed the following amendment (WAB\419C217.SM.WAB20), which was not adopted:

**WEDNESDAY, FEBRUARY 26, 2020**

Amend the bill, as and if amended, Section 59-18-1640(G), as contained in SECTION 49, by deleting subsection (G).

Re-number sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

The question was the adoption of the amendment.

The amendment was not adopted.

**Amendment No. 140**

Senator FANNING proposed the following amendment (WAB\419C047.AGM.WAB20), which was not adopted:

Amend the bill, as and if amended, by adding an appropriately numbered penultimate SECTION to read:

/ SECTION \_\_\_\_ .A. Section 59-156-120(A) of the 1976 Code is amended to read:

“Section 59-156-120. (A)(1) The South Carolina Child Early Reading Development and Education Program ~~first~~ must be made available to eligible children attending schools in the following school districts: from the following eight trial districts in Abbeville County School District et al vs. South Carolina: Allendale, Dillon 2, Florence 4, Hampton 2, Jasper, Lee, Marion 7, and Orangeburg 3.

~~(2) With any funds remaining after funding the eight trial districts, Beginning with the 2019-2020 school year, and each school year thereafter, the program must also be made available to be expanded to the remaining plaintiff school districts in Abbeville County School District et al vs. South Carolina and then expanded to eligible children residing in other school districts, with the program being expanded to every qualified child in all school districts by the 2019-2020 school year. The program must be expanded to the remaining school districts with a based on the school district's poverty index of ninety percent or greater. Priority must be given to implementing the program first in those of the plaintiff districts which participated in the pilot program during the 2006-2007 School Year, then in the plaintiff districts having proportionally the largest population of underserved at risk four-year old children percentage, with expansion first in the school districts with the highest percentage.~~

(2) No later than five school years following the program's expansion for every eligible child in all school districts, the program

**WEDNESDAY, FEBRUARY 26, 2020**

must be expanded further to include all children, regardless of financial eligibility, in all public school districts in this State.

(3) With any funds remaining after funding the school districts delineated in items (1) and (2), the program must be expanded statewide. The General Assembly, in the annual general appropriations bill, shall set forth the priority schedule, the funding, and the manner in which the program is expanded.”

B. Section 59-156-130(B)(2) of the 1976 Code is amended to read:

“(2) The parent enrolling a child must complete and submit an application to the approved provider of choice. The application must be submitted on forms and must be accompanied by a copy of the child’s birth certificate, immunization documentation, and documentation of the student’s eligibility as evidenced by family income documentation showing an annual family income of one hundred eighty-five percent or less of the federal poverty guidelines as promulgated annually by the United States Department of Health and Human Services or a statement of Medicaid eligibility. When the program is expanded pursuant to Section 59-156-120(A)(2), the provisions of this subsection regarding annual family income and Medicaid eligibility no longer apply.”

C. Section 59-156-140(C) of the 1976 Code is amended to read:

“(C) Providers may limit student enrollment based upon space available, but, if enrollment exceeds available space, providers shall enroll children with first priority given to children with the lowest scores on an approved prekindergarten readiness assessment. Private providers must not be required to expand their programs to accommodate all children desiring enrollment, but are encouraged to keep a waiting list for students they are unable to serve due to space limitations. Upon the applicability of Section 59-156-120(A)(2), this subsection only applies to private providers.”

D. Section 59-156-220(A) of the 1976 Code is amended to read:

“Section 59-156-220(A). The General Assembly shall provide funding for the South Carolina Child Early Reading Development and Education Program in the annual general appropriations act. For the 2019-2020 school year, the funded cost per child shall be the same as in 2016-2017, plus an inflation adjustment, and increased annually thereafter by the rate of inflation as determined by the Revenue and Fiscal Affairs Office for the Education Finance Act. Eligible students enrolling with private providers during the school year must be funded on a pro rata basis determined by the length of their enrollment.” /

Renumber sections to conform.

Amend title to conform.

**WEDNESDAY, FEBRUARY 26, 2020**

Senator FANNING spoke on the amendment.

The question was the adoption of the amendment.

The amendment was not adopted.

**Amendment No. 141**

Senator FANNING proposed the following amendment (WAB\419C048.AGM.WAB20), which was withdrawn:

Amend the bill, as and if amended, by adding an appropriately numbered penultimate SECTION to read:

/ SECTION \_\_\_\_A. Section 59-156-120(A) of the 1976 Code is amended to read:

“Section 59-156-120. (A)(1) The South Carolina Child Early Reading Development and Education Program ~~first~~ must be made available to eligible children ~~from the attending schools in the following school districts following eight trial districts in Abbeville County School District et al vs. South Carolina: Allendale, Dillon 2, Florence 4, Hampton 2, Jasper, Lee, Marion 7, and Orangeburg 3.~~

~~(2) With any funds remaining after funding the eight trial districts, Beginning with the 2019-2020 school year, and each school year thereafter, the program must also be made available to be expanded to the remaining plaintiff school districts in Abbeville County School District et al vs. South Carolina and then expanded to eligible children residing in other school districts, with the program being expanded to every qualified child in all school districts by the 2019-2020 school year. The program must be expanded to the remaining school districts with a based on the school district’s poverty index of ninety percent or greater. Priority must be given to implementing the program first in those of the plaintiff districts which participated in the pilot program during the 2006-2007 School Year, then in the plaintiff districts having proportionally the largest population of underserved at risk four year old children percentage, with expansion first in the school districts with the highest percentage.~~

~~(2) No later than five school years following the program’s expansion for every eligible child in all school districts, the program must be expanded further to include all children, regardless of financial eligibility, in all public school districts in this State.~~

(3) With any funds remaining after funding the school districts delineated in items (1) and (2), the program must be expanded statewide. The General Assembly, in the annual general appropriations bill, shall

**WEDNESDAY, FEBRUARY 26, 2020**

set forth the priority schedule, the funding, and the manner in which the program is expanded.”

B. Section 59-156-130(B)(2) of the 1976 Code is amended to read:

“(2) The parent enrolling a child must complete and submit an application to the approved provider of choice. The application must be submitted on forms and must be accompanied by a copy of the child’s birth certificate, immunization documentation, and documentation of the student’s eligibility as evidenced by family income documentation showing an annual family income of one hundred eighty-five percent or less of the federal poverty guidelines as promulgated annually by the United States Department of Health and Human Services or a statement of Medicaid eligibility. When the program is expanded pursuant to Section 59-156-120(A)(2), the provisions of this subsection regarding annual family income and Medicaid eligibility no longer apply.”

C. Section 59-156-140(C) of the 1976 Code is amended to read:

“(C) Providers may limit student enrollment based upon space available, but, if enrollment exceeds available space, providers shall enroll children with first priority given to children with the lowest scores on an approved prekindergarten readiness assessment. Private providers must not be required to expand their programs to accommodate all children desiring enrollment, but are encouraged to keep a waiting list for students they are unable to serve due to space limitations. When the program is expanded pursuant to Section 59-156-120(A)(2), this subsection will only apply to private providers.”

D. Section 59-156-220(A) of the 1976 Code is amended to read:

“Section 59-156-220(A). The General Assembly shall provide funding for the South Carolina Child Early Reading Development and Education Program in the annual general appropriations act. For the 2019-2020 school year, the funded cost per child shall be the same as in 2016-2017, plus an inflation adjustment, and increased annually thereafter by the rate of inflation as determined by the Revenue and Fiscal Affairs Office for the Education Finance Act. Eligible students enrolling with private providers during the school year must be funded on a pro rata basis determined by the length of their enrollment.”

E. This act takes effect upon approval by the Governor, and each expansion contained in Section 59-156-120 must be implemented upon available and sufficient funding as provided by the General Assembly in the annual general appropriations act. /

Renumber sections to conform.

Amend title to conform.



**WEDNESDAY, FEBRUARY 26, 2020**

On motion of Senator FANNING, with unanimous consent, the amendment was withdrawn.

**Amendment No. 142**

Senator FANNING proposed the following amendment (WAB\419C038.AGM.WAB20), which was not adopted:

Amend the bill, as and if amended, by adding an appropriately numbered penultimate SECTION to read:

/ SECTION \_\_\_\_ . Changes to the public education academic standards, assessments, cut scores, and ratings currently used in this State are prohibited until July 1, 2024, at which time the Department of Education shall examine the achievement of students from July 1, 2019 to June 31, 2024 based on the academic standards, assessments, cut scores, and ratings in use during that time. The department shall provide a report recommending any changes to academic standards, assessments, cut scores, and ratings that it considers appropriate based on the findings of its examination to the General Assembly before November 1, 2024. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

The question was the adoption of the amendment.

The amendment was not adopted.

**Amendment No. 143**

Senator FANNING proposed the following amendment (WAB\419C169.SM.WAB20), which was adopted:

Amend the committee report, as and if amended, by deleting SECTION 39.A. and inserting:

/ SECTION 39. A. Section 59-5-63 of the 1976 Code is amended to read:

“Section 59-5-63. (A)(1) The State Board of Education shall promulgate regulations directing adopt, and revise as necessary, a policy that each local school board must use to develop and implement a plan that directs the principal of each elementary school having grades one kindergarten through six fifth grade to provide all full-time teachers who are assigned to a classroom with at least thirty minutes of unencumbered time on each regular school day to develop and implement a plan which shall equitably apportion lunchroom duty among the teachers so that

**WEDNESDAY, FEBRUARY 26, 2020**

~~each teacher has as many duty free lunch periods as may be reasonable in order to insure the safety and welfare of students and staff. The implementation of the plan shall not impose additional costs on the school districts. The regulations shall direct that the plan be in effect for the 1984-85 school year.~~

(2) The State Board of Education's policy must:

(a) provide the process that a local school board must follow in developing a unencumbered time policy, including, but not limited to, policy application, manner of application, and times of application;

(b) provide that unencumbered time may not be withheld or reduced, unless it is reasonable and necessary due to extreme and unavoidable circumstances to ensure the safety and welfare of students and staff;

(c) provide that additional compensation may not be offered in place of unencumbered time;

(d) provide penalties if a principal fails to comply with the local unencumbered time policy; and

(e) provide penalties if a local school board fails to comply with this section.

(B) The local school board must adopt an unencumbered time policy at a regularly scheduled meeting within three months of the State Board of Education's adoption of a statewide policy. The local school board's policy must include, at a minimum, the State Board of Education's policy but may also include additional provisions. If the State Board of Education revises the statewide policy, then the local school board must incorporate and adopt the revisions into the local unencumbered time policy at a regularly scheduled meeting within three months.

(C) The local school board must submit its unencumbered time policy and any subsequent revisions to the Department of Education within thirty days of adoption."/

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

The amendment was adopted.

**Amendment No. 144**

Senator FANNING proposed the following amendment (WAB\419C164.SM.WAB20), which was withdrawn:

**WEDNESDAY, FEBRUARY 26, 2020**

Amend the bill, as and if amended, Section 59-20-50(4)(b), as contained in SECTION 37.A., by deleting the subitem and inserting:

/ SECTION 37. A. Section 59-20-50(4)(b) of the 1976 Code is amended to read:

“(b) The state minimum salary schedule must be based on the state minimum salary schedule index in effect as of July 1, 1984. The minimum starting teacher salary for a teacher with no years of experience and a bachelor’s degree must be at least thirty-five thousand dollars. The General Assembly shall establish the starting teacher salary, the salary schedule, and the Education Finance Act inflation factor each year in the annual appropriations act. Annual salary increases must be based on funding provided by the General Assembly in the annual appropriations act and provided through adjustments in the salary schedule to educators identified by the Department of Education as eligible to receive the Education Improvement Act teacher salary supplement during Fiscal Year 2019-2020 as reported to the Revenue and Fiscal Affairs Office. The state teacher salary scale shall extend with steps through year twenty-eight. The amount of increase to each subsequent step must be equal to the percentage increase in prior-authorized, existing steps. In Fiscal Year 1985, the 1.000 figure in the index is \$14,172. (This figure is based on a 10.27% increase pursuant to the South Carolina Education Improvement Act of 1984.) Beginning with Fiscal Year 1986, the 1.000 figure in the index must be adjusted on a schedule to stay at the southeastern average as projected by the Office of Research and Statistic of the Revenue and Fiscal Affairs Office and provided to the General Assembly during their deliberations on the annual appropriations bill. The southeastern average teacher salary is the average of the average teachers’ salaries of the southeastern states. In projecting the southeastern average, the office shall include in the South Carolina base teacher salary all local teacher supplements and all incentive pay. Under this schedule, school districts are required to maintain local salary supplements per teacher no less than their prior fiscal level. In Fiscal Year 1986 and thereafter teacher pay raises through adjustments in the state’s minimum salary schedule may be provided only to teachers who demonstrate minimum knowledge proficiency by meeting one of the following criteria:

- (1) holding a valid professional certificate;
- (2) having a score of 425 or greater on the Commons Examination of the National Teachers Examinations;
- (3) meeting the minimum qualifying score on the appropriate area teaching examination; or

**WEDNESDAY, FEBRUARY 26, 2020**

~~(4) meeting the minimum standards on the basic skills examinations as prescribed by the State Board of Education provided in Section 59-26-20.” /~~

Renumber sections to conform.

Amend title to conform.

On motion of Senator FANNING, with unanimous consent, the amendment was withdrawn.

**Amendment No. 145**

Senator FANNING proposed the following amendment (WAB\419C165.SM.WAB20), which was withdrawn:

Amend the bill, as and if amended, Section 59-20-50(4)(b), as contained in SECTION 37.A., by deleting the item and inserting:

/ SECTION 37. A. Section 59-20-50(4)(b) of the 1976 Code is amended to read:

~~“(b) The state minimum salary schedule must be based on the state minimum salary schedule index in effect as of July 1, 1984. The minimum starting teacher salary for a teacher with no years of experience and a bachelor’s degree shall be at least thirty-five thousand dollars. The General Assembly shall establish the starting teacher salary, the salary schedule, and the Education Finance Act inflation factor each year in the annual appropriations act. Annual salary increases must be based on funding provided by the General Assembly in the annual appropriations act and provided through adjustments in the salary schedule to educators identified by the Department of Education as eligible to receive the Education Improvement Act teacher salary supplement during Fiscal Year 2019-2020 as reported to the Revenue and Fiscal Affairs Office. In Fiscal Year 1985, the 1.000 figure in the index is \$14,172. (This figure is based on a 10.27% increase pursuant to the South Carolina Education Improvement Act of 1984.) Beginning with Fiscal Year 1986, the 1.000 figure in the index must be adjusted on a schedule to stay at the southeastern average as projected by the Office of Research and Statistic of the Revenue and Fiscal Affairs Office and provided to the General Assembly during their deliberations on the annual appropriations bill. The southeastern average teacher salary is the average of the average teachers’ salaries of the southeastern nation’s fifty states states. In projecting the southeastern average, the office shall include in the South Carolina base teacher salary all local teacher supplements and all incentive pay. Under this schedule, school districts are required to maintain local salary supplements per teacher no less than their prior~~

**WEDNESDAY, FEBRUARY 26, 2020**

~~fiscal level. In Fiscal Year 1986 and thereafter teacher pay raises through adjustments in the state's minimum salary schedule may be provided only to teachers who demonstrate minimum knowledge proficiency by meeting one of the following criteria:~~

- ~~(1) holding a valid professional certificate;~~
- ~~(2) having a score of 425 or greater on the Commons Examination of the National Teachers Examinations;~~
- ~~(3) meeting the minimum qualifying score on the appropriate area teaching examination; or~~
- ~~(4) meeting the minimum standards on the basic skills examinations as prescribed by the State Board of Education provided in Section 59-26-20." /~~

Renumber sections to conform.

Amend title to conform.

On motion of Senator FANNING, with unanimous consent, the amendment was withdrawn.

**Amendment No. 146**

Senator FANNING proposed the following amendment (WAB\419C077.SM.WAB20), which was not adopted:

Amend the bill, as and if amended, Section 59-18-1950(B), as contained in SECTION 8, by adding an appropriately numbered item at the end to read:

/ ( ) The Revenue and Fiscal Affairs Office shall report annually to the General Assembly the total cost of the tracking of South Carolina students and graduates. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

The question was the adoption of the amendment.

The amendment was not adopted.

**Amendment No. 147**

Senator FANNING proposed the following amendment (WAB\419C287.AGM.WAB20), which was not adopted:

Amend the bill, as and if amended, Section 59-18-365(A), as contained in SECTION 6.A., by deleting the subsection and inserting:

**WEDNESDAY, FEBRUARY 26, 2020**

/ (A) For the purposes of monitoring student progress and tracking growth toward college and career readiness, the department shall track student performance from kindergarten through the twelfth grade in reading and mathematics along a common, consistent scale that is nationally recognized and approved by the Education Oversight Committee. At least annually, and before August fifteenth, the department shall provide the resulting measures of student performance to parents and teachers. These measures must be designed to help parents and teachers better understand which skills and concepts a student is ready to learn and to help to form instruction, track growth, and identify appropriate resources for students. A local school district may also provide information on Lexile measures on interim or benchmark assessments administered by the local school district or local school during the school year. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

The question was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 17; Nays 21**

**AYES**

Allen	Climer	Fanning
Harpootlian	Hutto	Johnson
Kimpson	Malloy	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Sabb	Scott	Setzler
Sheheen	Williams	

**Total--17**

**NAYS**

Alexander	Bennett	Campbell
Cash	Corbin	Cromer
Davis	Goldfinch	Gregory
Grooms	Hembree	Loftis
Massey	Peeler	Rankin
Rice	Senn	Shealy

**WEDNESDAY, FEBRUARY 26, 2020**

Turner

Verdin

Young

**Total--21**

The amendment was not adopted.

**Amendment No. 148**

Senator FANNING proposed the following amendment (WAB\419C288.AGM.WAB20), which was not adopted:

Amend the bill, as and if amended, Section 59-18-365(B), as contained in SECTION 6.A., by deleting the subsection and inserting:

/ (B) The department may provide online and printed resources for assisting parents in improving student growth in reading and mathematics to ensure all students graduate with the skills necessary to be college and career ready. Parent resources must include information that identifies the Lexile scores recommended for specific careers. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

The question was the adoption of the amendment.

The amendment was not adopted.

Debate was interrupted by adjournment.

**Statement by Senator ALEXANDER**

150 years ago the Town of West Union in Oconee County was founded. I want to pause to celebrate this great occasion! The Senate of South Carolina congratulates the current town leadership, Mayor Linda Oliver, Council members Bethany James, Doug Moore, Dixie Meeks, Kathy Frederick and all the citizens that call West Union home. We are grateful to what you mean to our great State.

Further, we recognize individuals who have led and lived in West Union over the years. 150 years is a tremendous milestone in the life of West Union. Also, wishing you a bright and wonderful future with growth and economic prosperity based on the grand foundation of the past 150 years. Celebrations will be held by the city in the months ahead to further recognize this great event in the history of West Union.

**WEDNESDAY, FEBRUARY 26, 2020**

**Motion Adopted**

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

**MOTION ADOPTED**

On motion of Senator McELVENN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Andrew Gellette of Sumter, S.C. Corporal Gellette was an Air Force Veteran and served with the Sumter County Sherriff's Office. He was named employee of the month in 2015 and promoted to corporal in 2016 and in 2018. He was a loving father and husband who will be dearly missed.

**ADJOURNMENT**

At 5:31 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

\* \* \*



**WEDNESDAY, FEBRUARY 26, 2020**

**SENATE JOURNAL INDEX**

S. 419.....	5	S. 1127 .....	3
S. 1122.....	4	S. 1128.....	3
S. 1124.....	4	S. 1129.....	3